(Front (3))

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 2812 OF 2003

PETITIONER

1 Smt. Lata Pakwasa, Wife of Sri Rameshwar, aged about 35 years posted as 'Accountant' Block Education Office, Bamhnidh, Distt : Janjgir - Champa, (C G) resident of Bamhnidh, Distt : Janjgir - Champa (C G).

V E R S U S

RESPONDENTS : 1. State of Chhattisgarh through the Secretary, Education Department, D.K.S. Bhavan, Raipur (C G)

2. The Collector, Janjgir - Champa Distt : Janjgir - Champa (CG)

3. The District Education Officer Janjgir, Distt : Janjgir - Champa (C G).

4. Sri O.P. Rathore, Block Education Officer, Bamhnidh, Distt : Janjgir - Champa (C G).

P. R. No. 2661/03
Presented by Shri R.K. Singh
dated 05.09.03

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WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

(54)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक wp 2812 /03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

10-9-2003

Shri V.K. Pandey, counsel for the petitioner.

Shri Praveen Das, Panel Lawyer for the State.

Heard both the counsel.

By this petition filed under Articles 226/227 of the Constitution of India, the petitioner seeks to challenge her transfer order dated 28-8-2003, Annexure-P/1, by which she has been transferred from Bamhnideeh, District Janjgir-Champa to Government High School Janjgir.

The petitioner's case is that she is working as Accountant in the Block Education Office, Bamhnideeh, and she has been transferred with malafide intention which is arbitrary and illegal. The petitioner is a lady having two children aged about 3 years and 6 years and they are studying at Janjgir and she is living all alone with her children at Janjgir.

The petitioner made a complaint against the behaviour and conduct of respondent No.4 to the Collector and Superintendent of Police and that is why she has been transferred by respondent No.3. Moreover, the petitioner being lady and she belongs to Scheduled Castes community.

The learned counsel for the petitioner submits that the President of Janpad Panchayat, Janjgir also pressurized the petitioner to withdraw the complaint, when the petitioner had not acceded their request and resisted the pressure, therefore, out of malafide the petitioner has been transferred.

I have heard the learned counsel for the parties.

[पीछे देखिये

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation about her grievances to respondent No.2, the Collector, Janjgir-Champa within a period of 10 days and respondent No.2, Collector will consider the representation of the petitioner within a period of 30 days and after considering the grievances of the petitioner pass detailed and reasoned order in an objective manner.

If the grievances are found to be correct, then the Collector, Janjgir-Champa shall pass an appropriate order redressing the grievances of the petitioner.

With these observations, the writ petition is disposed of.

Consequently, M.(W.)P. No.2574/2003 and I.A. No. 8426/2003 also stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Barve*

[पीछे देखिये